

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:14cr67-HSO-RHW

EMMA JEAN RAINE

MOTION TO CONTINUE TRIAL

COMES NOW the defendant, Emma Jean Raine, and respectfully moves this Court to continue the trial scheduled for January 4, 2016, for the following reasons and in so doing waives her right to a Speedy Trial:

I.

On November 19, 2015, the defendant made her initial appearance on the 35-count indictment filed in this case charging her with fraud in connection with the filing of a bankruptcy petition. On this date, the office of the Federal Public Defender was appointed as counsel. The matter is currently set for change of plea notification deadline on December 7, 2015, pre-trial conference on December 15, 2015, and trial on January 4, 2016. (Ct. R., Doc. 13.)

II.

Counsel has not received discovery and pursuant to the discovery order entered herein, the government has until December 19, 2015, to provide the discovery. (Ct. R., Doc. 14.) For the foregoing reason, the undersigned respectfully requests that the trial be continued to the next court term to allow the defense time to obtain and review the discovery in this matter.

III.

Assistant United States Attorney Ruth Morgan has been contacted and has no objection concerning the requested continuance.

IV.

The defendant submits that the requested continuance will serve the ends of justice and is not sought for purposes of delay.

WHEREFORE, the Defendant respectfully requests that her MOTION TO CONTINUE be granted and for such other and further relief that the Court deems just and proper.

Respectfully submitted this the 7th day of December, 2015.

S. DENNIS JOINER
Federal Public Defender

By: s/Ellen M. Allred
Ellen M. Allred (MSB#99418)
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Attorney for Defendant

NOTICE OF MOTION

This Motion will be brought on for hearing as soon as this counsel can be heard.

Respectfully submitted this the 7th day of December, 2015.

By: s/Ellen M. Allred
ELLEN M. ALLRED
Attorney for Defendant

CERTIFICATE OF SERVICE

I, Ellen M. Allred, do hereby certify that I have this day electronically filed the foregoing Motion with the Clerk of the Court using the ECF system which sent notification of such filing to the Assistant United States Attorney Ruth Morgan.

This the 7th day of December, 2015.

By: s/Ellen M. Allred
ELLEN M. ALLRED
Attorney for Defendant